

COURT TO UNRAVEL TANGLE ON BUDGET

Appeals Tribunal to Act in Dispute Some Time About January 9.

STAY GOOD UNTIL THEN

Hylan Signs Document as Charter Orders, but Craig Holds Off.

MANDAMUS IN ABEYANCE

Complications Ahead if City Officials Are Forced to Reopen the List.

Further moves to untangle the much snarled budget of the city must await action of the Court of Appeals, which will sit some time around January 9 to hear the appeal of the Corporation Counsel from the order of the Appellate Division to restore some \$3,000,000 pension money.

Stewart Brown of the United Real Estate Owners Association sent telegrams to each member of the Board of Estimate yesterday threatening them with an action for contempt unless they obey the Appellate Division, but Acting Corporation Counsel George P. Nicholson advised them that the carrying of the matter to the Court of Appeals automatically stayed the proceedings. Counsel for the real estate men in denying this had overlooked the fact that the order was a modification and therefore carried a stay. It was stated. The modification required the city officials to reduce non-mandatory items, if necessary, to make room for the mandatory.

Only Two Sign New Budget.

Mayor Hylan after conferring with Mr. Nicholson signed the budget yesterday; so did Michael J. Craig. The third person the charter says shall sign before December 25 is the Comptroller. Mr. Craig took the document to Acting Comptroller Henry Smith, the head of the Finance Department, in the absence in Canada of Comptroller Charles L. Craig. Mr. Smith said he would think it over. He was still thinking when he left the office last night and the budget was unsigned on his desk.

However, in view of the fact that the budget is under litigation, it is held that December 25 becomes more or less academic as a mandatory date. There was no suggestion that the Comptroller might be mandamus to sign before the first of the year.

Payroll to Be Met January 15.

It was pointed out by an official that the city could get along without any money to speak of until January 15, when the semi-monthly payroll must be met. Prior to that time, it is hoped the Court of Appeals will have rendered a decision. Should this court uphold the Appellate Division it is considered likely that the Comptroller, as well as other members of the Board of Estimate, will obey the order and have rendered a decision. Should this court uphold the Appellate Division it is considered likely that the Comptroller, as well as other members of the Board of Estimate, will obey the order and have rendered a decision.

To obey would necessitate cutting \$2,000,000 out of some other appropriations. The Comptroller at the same time would probably insist that the illegal action of the Board of Aldermen in cutting mandatory county and court charges out of the budget be rectified and the total be brought within the 2 per cent. limitation by taking the necessary amount out of other appropriations. He would also want to take another \$5,000,000 out of the budget to meet the loss of anticipated taxes on bank capital and surplus, it is believed.

This would leave the budget short over \$8,000,000. In this emergency the Mayor and the Comptroller probably will have to go to Albany for a special legislative session. The city's right to issue special revenue bonds is now limited to \$2,000,000 in any one year.

HALF OF MRS. SMITH'S ESTATE IS SET ASIDE

Niece Wins Point in Fight in Appellate Court.

The Appellate Division of the Supreme Court upheld yesterday a decision of the County Court of Justice, Long Island, providing that one-half of the \$200,000 estate of Mrs. Roxy M. Smith of Brooklyn be set aside until the court has decided whether Mrs. Smith's son, William E. Smith, or her niece, Mrs. Beatrice Provost Nugent, is entitled to it.

Mrs. Smith was the widow of William E. Smith, a member of the city and sugar firm of Arbuckle Brothers. At her death she left her entire estate to her son, except the income of a trust fund of \$200,000, which she provided to have paid to Mrs. Nugent, and Mrs. Nugent contested the will on the ground she and Smith had entered into an agreement by which she was to have half the estate if she refrained from telling his mother he had married. Smith, who is an elderly man, married Miss Clair Staley just before his mother died.

HEALY DENIES PLAN TO SELL RESTAURANT

Has Just Enlarged and Re-decorated Plant.

Despite the reports regarding a possible change in the management of the Healy restaurant at Columbus avenue and Sixty-sixth street, Thomas J. Healy, the proprietor, denied emphatically yesterday any negotiations were being carried on for the sale or lease of the famous site and added that none was contemplated.

Mr. Healy explained he had altered the building to suit present conditions and to realize a larger revenue from the property, but this did not mean he intended to dispose of the building.

"The fact is," the proprietor added, "I have just fitted out a new cafeteria, and redecorated the main restaurant, something I would not have done if I thought of giving up the building."

GERAGHTY GETS \$4,500 JOB.

James P. Geraghty, who resigned as a Deputy Commissioner of the Department of Licenses a few weeks ago, was appointed yesterday as Deputy County Clerk of the Bronx at a salary of \$4,500 a year. He is one of the Democratic leaders of the First Assembly district in the Bronx.

Charles J. Griffin, Democratic leader of the Seventh Assembly district, the Bronx, was appointed a Deputy Commissioner in the Department of Licenses at a salary of \$5,000 a year.

MANY FAKE PHONE CALLS KEEP UNDERTAKERS BUSY

Joker Sends Funeral Directors to Breweries, Vacant Lots, &c.—One Hoaxed to Wedding, and Bride Goes Into Hysterics—Reward Offered.

A reward of \$1,000 is offered for the arrest and conviction of the man or woman, with a perverted sense of humor, who has been making life miserable for certain undertakers in the Italian quarter south of Washington square.

This person, according to George B. Perazzo, undertaker, of 195 Bleeker street, has invented a new kind of practical joke—to date Mr. Perazzo has failed to find it funny, but he hopes to get a good laugh at the joker's expense if that individual is locked up in the Tombs.

About once a week for the last three months, Mr. Perazzo said yesterday, his shop, or one of the others on the lower east side, has received a telephone message to the effect that some one always a name familiar to the undertaker—has just died "and will the undertaker please come at once and take charge."

Usually the call comes from south Brooklyn, or The Bronx, or Greenpoint,

HAS GOLD TEETH OUT TO HELP SLEUTHING

Detective Cotter of Narcotic Squad Makes Arrest After Handicap Is Removed.

Satisfied that his efficiency as a detective was hampered by two gold teeth in his mouth, Detective Cotter of the Narcotic Squad had them extracted recently. Yesterday Jack Yollish, 26, of 352 West Forty-first street, was arraigned before Magistrate Corrigan in Jefferson Market Court on a drug "peddling" charge.

Drug peddlers in the Times square district have developed a card index of distinguished marks in the appearance of various detectives. Not only are the most minute details about their clothing indicated, but such things as gold teeth are prominently noted.

Cotter's percentage of arrests had been decreasing and he talked with friends he became convinced that the golden molars were responsible. The arrest of Yollish, he said, proves the soundness of this deduction.

Yollish, it was testified, was caught in the hallway of a tenement in Forty-first street, near Ninth avenue. He demanded to know who Cotter was, and when told, "No, you're not. Cotter has two gold teeth."

Magistrate Corrigan held Yollish in \$500 bail for examination January 3, after Cotter had said he found a cigarette case filled with heroin and cocaine.

STOUT MAN TRAPPED BETWEEN SURFACE CARS

Two Ribs Fractured by the Pressure.

Morris Raines, 52, a restaurant proprietor, of 315 Southern Boulevard, The Bronx, sought refuge from the current of traffic yesterday at Broadway and Fulton street by standing in the middle of the street between the north and south bound tracks of the Broadway surface line. He was caught between two "hobnob" cars and being stout was held vicelike.

His cries brought both cars to a stop and he was dragged out and taken to Broad Street Hospital with two fractured ribs and possible internal injuries.

DR. LORENZ EXAMINES 75 PATIENTS IN DAY

Devotes More Time to Individual Cases.

When Dr. Adolf Lorenz arrived yesterday at the Health Department Building, 105 Pearl street, he found that several patients were waiting for him despite the bad weather. The cases had been selected at preliminary clinics as particularly suited for examination by Dr. Lorenz. The surgeon devoted more time than usual to his examinations, spending as long as ten and fifteen minutes with several patients.

The next clinic will be held at the Health Department Building in Brooklyn next Wednesday. Dr. Lorenz has examined 573 crippled persons since he began conducting clinics through the Health Department.

JUDGE GOES ON BOND TO RELEASE PRISONER

Lawyer Gives Rest, While Third Will Defend Him.

The Christmas spirit brought about the release of Vito Mercurio, a veteran of the war, from the Raymond street jail in Brooklyn yesterday. Mercurio, who was gassed on the other side, wounded and a passenger aboard a transport that was torpedoed, was indicted for alleged abandonment of his three children and for the last week has been held in jail in default of \$1,000 bail. Investigation disclosed that he had been sick and out of work.

County Judge Martin yesterday reduced the bail to \$500. Frederick G. Milligan, lawyer, then said he would defend him without compensation. But Mercurio could raise the \$500, and it looked as if he'd have to stay in jail over Christmas.

"I'll provide \$250 of the bail in cash," remarked Judge Martin.

"I'll provide the other \$250," said F. A. Keck, counsel for the American Legion. Mercurio left happily with his counsel.

SAW FOUND IN CELL OF BRONX PRISONER

Head Keeper Is Suspended After Woman's Visit.

A hacksaw found in the cell of William Lindsay, a prisoner in the Bronx county jail, Thursday night, and the fact that Lindsay's wife had been admitted to the prison after hours, led to the suspension yesterday of Michael McNamara, head keeper. Lindsay was indicted yesterday by the Bronx Grand Jury charged with receiving stolen goods from a second offender. He was arrested December 1.

The Bronx jail is at 177th street and Arthur avenue. Lindsay's cell was on the fourth floor. What led to the search of the jail was not made known. Mrs. Lindsay was questioned at length, but denied all knowledge of the saw and was allowed to go.

Her visits to Binger Knuck Out His Plea for Leniency.

Henry P. Binger, formerly of 74 Zeldler avenue, Maspeth, Queens, asked County Judge Humphrey yesterday for a suspended sentence so he could take care of his wife and eleven children, aged from one month to fourteen years. Instead, Judge Humphrey sent him to the penitentiary for an indefinite term.

"I realize you could take better care of these children out of jail, the judge said, 'but I also realize you are dominated by another woman, who has visited you daily since you have been in jail.'"

CROWEY PREDICTS NO BUILDING STRIKE

Building Trades Council Head Tells Untermeyer It Yields to Reform.

COMPLETE SURRENDER

Plasterers Union Gives In and Plumbers' Objectionable Delegate Resigns.

LABOR CLEANING HOUSE

Lockwood Committee Counsel Hears Housing Progress Is Not to Be Halted.

Three developments that were regarded as highly favorable to a renewal of the working agreement between the Building Trades Employers Association and the Building Trades Council, and for the establishment of better relations between employers and the unions were reported yesterday.

Patrick J. Crowley, president of the Building Trades Council, after a long conference with Samuel Untermeyer, said:

"In my opinion there will be no general strike in the building trades, nor any trouble. I believe things will be straightened out by the middle of next week."

The officers of the Plasterers Union, whose practices were severely attacked by Mr. Untermeyer, have been advised by counsel that these practices constitute criminal offenses. They accordingly notified Mr. Untermeyer yesterday that they were ready to accede to all his demands for reforms within their organization.

Chapman Yields to Demand.

Also during the day William H. Chapman, convicted of compelling plumbers to join John T. Hettrick's combine, and who, after serving his sentence, was reinstated as business agent of the Plumbers Union, resigned from that office in compliance with Mr. Untermeyer's demand.

Mr. Crowley said that the Building Trades Council would meet next Tuesday afternoon to consider the specific and general reforms asked by Mr. Untermeyer. Mr. Crowley was somewhat philosophical.

"We all need a little jacking up once in a while," he said. "The plasterers were a little raw in some of the regulations they had, but the employers are pretty bad, too. But I don't think there will be any trouble. There is too much work to be done, for one thing."

It was learned that the counter proposals made to the employers by the Building Trades Council, and which the employers are now considering, revolve around the question of arbitration in settlement of disputes. The council is in sympathy with the principle of arbitration if settlement of disputes cannot be reached through conciliation. But instead of a board of five members, as was suggested by the building trades employers, the council wants to adhere to the three members of the union from the union, three from the employers and a seventh to be selected by the six.

Card Permits to Be Abolished.

Michael Collier, president of the plasterers' organization, was the man who carried to Mr. Untermeyer an assurance that his organization would accede to his demands. A general meeting of the organization will be called some time next week, Collier said, to put through a resolution providing for every reform Mr. Untermeyer has asked. This will include the abolition of the permit card system, cessation of the practice of imposing penalties against employers and the elimination of various other regulations designed to increase the cost of construction.

Chapman's resignation as business agent of the Plumbers Union was forced by Mr. Untermeyer's threat to try him on a felony indictment charging extortion. Mr. Untermeyer agreed to postpone his trial, which had been set for next month, on the condition that the plumbers' organization pass a resolution making any member who has served a prison sentence ineligible for office in the union.

MOTOR TRUCK KILLS BUNDLE LADEN WOMAN

Driver Is Held on Charge of Homicide.

Carrying many Christmas packages, Mrs. Marie Schuehli, 45, of 317 St. Mark's avenue, Brooklyn, started to cross Atlantic avenue at Kingston avenue, Brooklyn, last night and failed to notice an approaching automobile truck. The truck ran her down and she died while being taken to St. John's Hospital. The driver, James L. Abbott of 283 West Thirtieth street, was charged with homicide at the Atlantic avenue station.

KETCHAM TO GET \$50,000 FEE.

Appeal Ruling Fixes Charge in Brasher Will Contest.

Ex-Surrogate Herbert T. Ketcham, who represented the executors of the \$1,000,000 estate of Mrs. Martha M. Brasher in the will contest brought unsuccessfully by Mrs. Brasher's daughter, Mrs. Louisa M. Bain, is to receive \$50,000 for his services.

Mr. Ketcham originally asked for \$150,000 and submitted the opinions of experts, to the effect that he had earned that sum. Surrogate Wingate, in Brooklyn, decided that \$60,000 would be a fair remuneration for the work.

The matter was left before the Appellate Division in cross appeals and \$10,000 was lopped off.

MOTHER OF 9 WINS DIVORCE.

Justice Richard H. Mitchell in the Supreme Court, The Bronx, granted a divorce yesterday to Mrs. Taylor Gilin of 1713 Chisholm street, who is the mother of nine children.

Harry Gilin, a son, testified that he and a friend went to the Gilin home last December 24 expecting to find one at home, but were surprised to find Mr. Gilin in scant attire in company with a strange woman.

Store open until 6 p. m. today. Closed all day Monday

The John Wanamaker Store

Broadway at Ninth, New York Telephone 4700 Stuyvesant

Three Times Three Cheers for Christmas!

Good friends and everybody wherever you be the world around. From our inmost hearts, too, and many happy returns of this our greatest of birthdays and more prosperous years than ever, always and all-ways.

(Signed) John Wanamaker

December 24, 1921.

Today's Purchases Will Be Delivered in Time for Christmas

SOME things you may find it convenient to have in the home over the holiday:

Skates

Full assortment of men's and women's detachable skates, combination skate and shoe hockey and racing outfits.

Detachable skates, \$2 to \$15. Combination outfits, \$10.50 to \$18.50.

Snow Shoes

Norwegian snowshoes of pine, with good quality gut, for persons weighing 135 to 200 pounds, \$6.75.

Other snowshoes, maple and ash wood, for persons weighing 75 to 200 pounds, \$7.50 to \$10.

Skiis

Skiis, of maple wood, 4 1/2 to 7 foot length, \$5 to \$7; a few of ash wood. Norwegian oil treated skiis, seven foot length, \$6.75.

Sheepskin-lined Coats

Moleskin fabric shell, sheepskin-lined, 36 in. coats, with beaverized sheepskin collar, two upper slash pockets, with belt—around—\$13.50.

Fifty inch coats of like specification, \$21.50.

Sport Shop, Burlington Arcade Floor, New Building

LET nobody think that the gift thoughts of the China Shop are running low

just because the day before Christmas has been reached. Thousands of piquant things are still there—delightful in their usefulness—in their color—in their interesting shapes.

Droll little figures in Copenhagen ware are unusual—in lovely deep blues and soft grays that contrast so well with the gray white of that beautiful product of the potter's art, \$7.50 each.

Quaint candlesticks with big handles, gay in color, from Desvres, France, are \$2.50 each.

Glass octagonal-shaped comotes with band of brilliant blue inside of 4 band of encrusted gold are \$8.50.

Great fruit comotes with 2 candlesticks to match, of yellow pottery, from Dundee, Illinois, are \$20 the set of three.

Gold-encrusted glass candy jars are \$12.

Second Gallery, New Bldg.

The Christmas Week Closing Today

is the finest in many respects that we have ever had. The keen sagacity of the people was evidence that what they wanted was here and that the qualities were sure to be right, and that we were trustable to price everything properly, and their enthusiasm kept the store up to its full capacity of service every hour of every day.

The outstanding fact is that our store is what the people have taught us to make it, and that we have skillfully interpreted their wants.

We shall not attempt to pay to our patrons new gratefulness with old thanks. The good people who served behind our counters and in our salesrooms, and the hundreds more in workrooms up stairs and down stairs, in completing the daily transactions, have worthily done their part.

(Signed) John Wanamaker

December 24, 1921.

TIME yet to get the Christmas PIANO.

Uprights, \$365 up. Player-pianos, \$495 up. Grand pianos, \$695 up. AMPICO Reproducing Piano, \$850 up. Special Christmas terms.

First Gallery, New Building

MEN'S sweaters, white, \$12.50, and colors, \$10.50 and \$12.50. Scotch sweater jackets, plain colors and mixtures—yellows, greens, grays, etc.—\$20 and \$25.

Burlington Arcade Floor, New Building

THE perfume shop lowers prices on Caron's "N'aimez que moi"—a delightful perfume—in sets of two bottles of extract and box of face powder, were \$26—now \$18.... Jaspy perfumes in the original delicate glass atomizers, were \$15—now \$10.... French perfume burners, were \$19 to \$75—now \$12 to \$50.... Painted china atomizers, were \$7—now \$4.... Tall graceful French glass atomizers, were \$20 to \$24.... now \$12.... Colored glass powder jars—imported, were \$2 to \$4.50—now \$1.50 and \$2.25.... Dressing table sets, copies of onyx or amber, 12 pieces, were \$75—now \$50.

Main Floor, Old Building

MEN'S neckties, 50c, 95c, \$1.65—In these three groups are included every kind of four-in-hand acceptable to men of good taste. The tremendous business we do in men's neckties enables us to make our prices very low, and gives us command of the best materials and designs. Stocks are freshened every morning.

Burlington Arcade Floor, New Building

Wrap up in a Wanamaker Ulster and turn the Great collar up

We'll fit you in five minutes, and you may walk right out with it on your back. Finest made, \$35 to \$95.... Some British-made ulsters—many of them of Crombie overcoatings—are now \$55.

Burlington Arcade Floor, New Building

Skates. Sleds. Skiis. Toboggans And Good Shoes for Bad Weather

Burlington Arcade Floor, New Building

AU QUATRIEME



Gifts for the Woman Who Shops for a Man

Desk sets of tooled Florentine leather or gaily painted and decorated ones from France.

Inkblots of Quimper pottery, several sizes.

Dressing table bottles of French crystal handsomely engraved.

Bath-room sets of French painted glass, bottles and soap dishes.

Charming little figurines suitable for a man's room.

Lovely old French prints, in color.

Wash-drawings by Alexandre Steinlen, the great French genre artist—interesting and piquant French types.

Smoking things—cigarette boxes of clear glass; engraved glass ash trays from France; gay ones from Brittany of Quimper pottery.

Little painted matchboxes in French designs.

Winsome little old French tables to stand by his reading chair to hold his smoking things or by his bed to hold his reading lamp and his night-cap favorite books.

Fourth Floor, Old Building

Sterling Silver NOVELTIES

Powder jars, \$15. Long handle mirror, \$29. Comb—silver mount—\$5. Pin tray, plain, \$7. Silver frame, oval, \$19. Enamel powder box, \$8. Sterling mesh bag, \$75. Cigarette case, \$12. Card case for men, \$12.50. Belt buckle, silver and gold stripe, \$9.

Main Floor, Old Building